



State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
25 MARKET STREET
PO Box 116
TRENTON, NJ 08625-0116

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

MATTHEW J. PLATKIN
Acting Attorney General

MICHELLE L. MILLER
Director

May 4, 2022

VIA ECF

The Honorable Julien Xavier Neals, U.S.D.J.
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: *Smith & Wesson Brands, Inc. v. Gurbir S. Grewal, et al.*
Docket No. 20-cv-19047-JXN-ESK

Dear Judge Neals:

Pursuant to Your Honor's order of April 14, 2022, the parties hereby submit this joint letter on the status of the state court litigation after the parties appeared before Your Honor on August 2, 2021.

On July 19, 2021, Smith & Wesson filed both a motion for leave to appeal and a Notice of Appeal regarding the Chancery Division's order to the New Jersey Superior Court, Appellate Division. On August 5, 2021, the Appellate Division denied the motion for leave to appeal.

On August 9, 2021, the New Jersey Supreme Court denied Smith & Wesson's emergent application for a stay of the Chancery Division's June 30, 2021 order.

On September 13, 2021, the Attorney General moved to dismiss Smith & Wesson's appeal in the Appellate Division on the basis that "[b]ecause the June 30



May 4, 2022

Page 2

orders are not final, this appeal should be dismissed for lack of jurisdiction.” The Appellate Division denied the Attorney General’s motion to dismiss on September 30, 2021.

On September 20, 2021, Smith & Wesson filed its opening merits appeal brief in the New Jersey Superior Court, Appellate Division. The State filed its response brief on November 5, 2021, and Smith & Wesson filed its reply brief on November 22, 2021. The appeal is now fully briefed before the Appellate Division, and no oral argument date has been assigned. No motions are currently pending in state court.

Thank you.

Respectfully submitted,

MATTHEW J. PLATKIN
ACTING ATTORNEY GENERAL OF
NEW JERSEY

By: /s/ Robert J. McGuire
Robert J. McGuire
Deputy Attorney General

cc: All counsel (via ECF)